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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/384,675 08/27/99 ARNOLD

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MMC2/1226

EXAMINER

FUREMAN, J

ART UNIT

PAPER NUMBER

2876

DATE MAILED:

12/26/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/384,675

Applicant(s)

ARNOLD ET AL.

Examiner

Jared J. Fureman

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) ____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ☒ Notice of References Cited (PTO-892)
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other:

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DETAILED ACTION

1. Receipt is acknowledged of the preliminary amendment filed on 7/2/2000, which has been entered in the file.

Specification

2. The disclosure is objected to because of the following informalities: On page 4, line 29: "platen roll 45" should be replaced with --platen roll 39-- (see page 4 line 25, and figure 7).

Appropriate correction is required.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --PORTABLE PRINTER AND DATA ENTRY MODULE REMOVABLY CONNECTED THERETO--.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 2-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Fukumoto et al (US 5,047,615).

Fukumoto et al teaches a portable printer (3) and a portable data entry device (1) removably connected thereto, the portable data entry device including an elongate data

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entry device housing, a bar code scanner (2) for scanning bar codes, a display (4) and a plurality of manually operable keys (on keyboard 5), the portable printer including an elongate printer housing having a front portion with a compartment open at the front for receiving the portable data entry device, the compartment having an open top for access to the display and the keys, the printer housing further having a rear portion, the printer housing providing space at the rear portion for receiving a roll of a label web, a print module (45) disposed at the rear portion of the printer housing, and the print module including a thermal print head (not shown) and a platen roll (not shown) cooperable with the print head for printing on the label web, the compartment is channel-shaped and the data entry device is slidably received in the compartment (since a portion of the data entry device fits under the retaining piece 8, the data entry device must be tilted and slid into position), and an access opening for the label roll space (see figures 1-5, column 1 lines 8-15, 23-36, 43-49, column 1 line 60 – column 2 line 3, and column 2 line 39 – column 4 line 23).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukumoto et al.

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The teachings of Fukumoto et al have been discussed above.

Re claim 1: Fukumoto et al fails to teach the elongate data entry device housing for the scanner.

However, it was well known to those of ordinary skill in the art at the time of the invention that a laser scanner within a housing is an art recognized functional equivalent of a wand type scanner (the scanner 2, as taught by Fukumoto) external to a housing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to integrate, with the system as taught by Fukumoto, the elongate data entry device housing for the scanner (by replacing the wand type scanner with a laser scanner within the housing), since they are art recognized functional equivalents. Furthermore, a laser scanner has the advantage of non-contact reading as compared to a wand type scanner, which requires the operator to be in close proximity to the bar code and to manually move the scanner over the bar code.

Re claims 7 and 8: Fukumoto et al also teaches a battery (49) disposed within the housing for powering the print head (see figure 5).

Fukumoto et al fails to specifically teach the battery being disposed at the front portion, an elongate circuit board disposed in the housing, the battery being on the printed circuit board at the front portion of the housing, and a print module mounted to the circuit board at the rear portion of the housing.

However, if not inherent in Fukumoto et al, it was well known to those of ordinary skill in the art at the time of the invention to dispose a battery at a front portion of a

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housing, and include a circuit board shaped to fit in a housing for connecting components of a device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to integrate, with the system as taught by Fukumoto et al, the battery disposed at the front portion, an elongate circuit board disposed in the housing, the battery being on the printed circuit board at the front portion of the housing, and a print module mounted to the circuit board at the rear portion of the housing, in order to provide easy access to the battery, and to provide a secure electrical connection between the components of the system.

Re claims 9 and 10: Fukumoto et al also teaches the compartment having an open front end and an optical connector (9) for connection to a data entry device (see figure 2).

Fukumoto et al fails to teach an electrical connector at the rear end of the compartment for connection to a data entry device, a plurality of adjacent batteries, a separator between each pair of adjacent batteries, and the separators being secured to the printed circuit board.

However, it was well known to those of ordinary skill in the art at the time of the invention that electrical connectors are an art recognized functional equivalent to an optical connector, to place an electrical connector at the rear of a compartment, to include a plurality of batteries in a device, a separator between each pair of adjacent batteries, and the separators being secured to a printed circuit board.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to integrate, with the system as taught by Fukumoto et al, an electrical connector at the rear end of the compartment for connection to a data entry device, since an electrical connector is an art recognized functional equivalent of an optical connector, a plurality of adjacent batteries, a separator between each pair of adjacent batteries, and the separators being secured to the printed circuit board, in order to provide a guide for easily inserting the batteries.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukumoto et al in view of the admitted prior art.

The teachings of Fukumoto et al have been discussed above.

Fukumoto et al fails to teach an openable pivotally mounted cover for the access opening and the platen roll being rotatably mounted on the cover.

However, the applicants admitted prior art teaches an openable pivotally mounted cover for a access opening and a platen roll being rotatably mounted on the cover (see figure 7, and page 4 line 18 – page 5 line 21 of the specification).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to integrate, with the system as taught by Fukumoto et al, an openable pivotally mounted cover for the access opening and the platen roll being rotatably mounted on the cover, in order to provide protection for the label roll and prevent damage to the label roll.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sato et al (US 4,734,710), Komaki (US 5,057,676), Stanton et al (US 5,808,283), Dittmer et al (US 5,237,487), Edgar (US 5,930,770), Sherman et al (US 5,816,725), Kumar et al (US 5,371,348), Dobbins et al (US 4,727,245), and Yano et al (JP 5-108522) all teach printers and portable data entry devices removably connected thereto. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (703) 305-0424. The examiner can normally be reached on 7:00 am - 4:30 pm M-F, first Friday off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jjf

Jjf

December 20, 2000


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